

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

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KALMAN ROSENFELD, individually and	:	
on behalf of all others similarly situated,	:	No.: 1:20-cv-04662-RRM-PK
	:	
Plaintiff,	:	
	:	
v.	:	<b>NOTICE OF MOTION TO DISMISS</b>
	:	<b>COMPLAINT BY DEFENDANTS</b>
AC2T, INC., BONNER ANALYTICAL	:	<b><u>AC2T, INC. AND JEREMY HIRSCH</u></b>
TESTING CO., and JEREMY HIRSCH.	:	
	:	
Defendants.	:	
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**PLEASE TAKE NOTICE THAT**, upon the accompanying memorandum of law in support of Defendants AC2T, Inc. and Jeremy Hirsch's (together, the "Spartan Defendants") motion to dismiss, the declaration of Edward P. Boyle, the complaint, and all prior pleadings and proceedings had herein, the Spartan Defendants, by and through their attorneys, Venable LLP, will move this Court, before the Honorable Roslynn R. Mauskopf, United States District Judge, at the United States District Courthouse for the Eastern District of New York, 225 Cadman Plaza East, Brooklyn, New York, at a date and time designated by the Court, for an Order, pursuant to Federal Rules of Civil Procedure 12(b)(2) and 12(b)(6), granting the motion, dismissing the claims asserted against them in the Complaint for lack of personal jurisdiction over Defendant Hirsch and failure to state a claim upon which relief can be granted, and awarding such other relief as this Court deems to be just and proper.

**PLEASE TAKE FURTHER NOTICE** that, pursuant to this Court's December 23, 2020 order, Plaintiff's opposition papers, if any, must be served on or before February 3, 2021, and the Spartan Defendants' reply papers, if any, must be served and filed no later than February 24, 2021.

Dated: New York, New York  
January 6, 2021

VENABLE LLP

By: /s/ Edward P. Boyle

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*Attorneys for Defendants AC2T, Inc. and Jeremy  
Hirsch*